

UNITED STATES BANKRUPTCY COURT FOR  
THE DISTRICT OF NEW JERSEY  
**Caption in compliance with D.N.J. LBR 9004-1**

**GIBBONS P.C.**

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*Counsel to the Debtors  
and Debtors-in-Possession*

In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,  
Debtors.<sup>1</sup>

Chapter 11

Case No. 19-12809 (JKS)

(Jointly Administered)

**Hearing Date: July 23, 2019 @ 10:00 a.m.**

**Judge: Hon. John K. Sherwood**

NEW ENGLAND MOTOR FREIGHT, INC. *et al.*,  
Plaintiffs,  
v.

Adv. Proc. No. 19-1119 (JKS)

PARTIES LISTED ON EXHIBIT A TO THE  
COMPLAINT and JOHN DOES 1-100,  
Defendants.

<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); MyJon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

## ADJOURNMENT REQUEST

1. I, BRETT S. THEISEN, ESQ.,

- am the attorney for: New England Motor Freight, Inc. et al., Debtors And Debtors In Possession,  
 am self-represented,

and request an adjournment of the following hearings for the reason set forth below.

Matters:

- **Adv. Proc. No. 19-1119—**
  - Debtors' Motion to Enjoin Auto Liability Claims [Dkt. No. 3]
- **Lead Case No. 19-12809—**
  - Motion for Relief from the Automatic Stay [Dkt. No. 266]
  - Motion for Relief from the Automatic Stay [Dkt. No. 378]
  - Motion for Relief from the Automatic Stay [Dkt. No. 440]
  - Motion for Relief from the Automatic Stay [Dkt. No. 502]
  - Motion for Relief from the Automatic Stay [Dkt. No. 585]
  - Motion for Relief from the Automatic Stay [Dkt. No. 631]
  - Motion for Relief from the Automatic Stay [Dkt. No. 674]
  - Motion for Relief from the Automatic Stay [Dkt. No. 693]

Current hearing date and time: July 23, 2019 @ 10:00 a.m.

New date requested: August 27, 2019 @ 10:00 a.m.

Reason for adjournment request: The parties to the above-referenced matters have agreed to (i) adjourn the matters to enable further settlement negotiations, and (ii) consent to an extension of the temporary restraining order entered in Adv. Proc. No. 19-1119, Dkt. No. 37, through and including the new hearing date, August 27, 2019.

The parties also request that the current deadline to submit further pleadings in support of, or opposition to, the pending matters be extended from July 22, 2019 at 12:00pm to August 26, 2019 at 12:00pm.

A proposed order extending the temporary restraining order is being submitted contemporaneously herewith.

All of the matters listed above are related to existing or potential Auto Liability Claims against the Debtors, and have been previously adjourned to allow for settlement negotiations to take place. At an

initial hearing held on April 16, 2019, the Court granted the Debtors' request for a temporary restraining order sought by the Motion to Enjoin Auto Liability Claims [Adv. Proc. No. 19-1119, Dkt. 3], and directed the parties to meet and confer regarding a protocol to govern the orderly resolution of all Auto Liability Claims. The Court has subsequently extended the TRO with the consent of the parties while those discussions continue. The parties are continuing to develop a consensual protocol, and hereby seek an additional adjournment and extension of the TRO to continue those negotiations.

The parties have agreed to retain an independent expert to value the universe of auto liability claims on behalf of all parties to assist in determining the appropriate funding of a litigation trust; the parties are scheduling interviews with candidates beginning on July 23, 2019—with the goal of retaining one of those candidates no later than July 31, 2019—and anticipate that the valuation process may take up to 30 days to complete.

2. Consent to adjournment:

I have the consent of all parties.       I do not have the consent of all parties (explain below):

I certify under penalty of perjury that the foregoing is true.

Date: July 18, 2019

/s/ Brett S. Theisen  
Brett S. Theisen, Esq.

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**COURT USE ONLY:**

The request for adjournment is:

- Granted                  New hearing date: \_\_\_\_\_                   Peremptory
- Granted over objection(s)    New hearing date: \_\_\_\_\_                   Peremptory
- Denied